

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

WILLIAM LOCKWOOD *
Plaintiff *
v. * Civil Action No. WMN-02-CV-2068
PACIFIC USA, LTD., et al. *
Defendants *

* * * * *

AMENDED NOTICE OF DEPOSITION

You are hereby notified that the Plaintiff, William Lockwood, desires, pursuant to the terms and provisions of the Federal Rules of Civil Procedure, to take, and will take the deposition on oral examination of the Defendant, Pacific Cycle. LLC, by and through one or more of its officers, directors, managing agents or other person whom it shall designate, and who will testify on its behalf regarding the matters described and set forth on Schedule A.

The deposition will take place before a Notary Public of the State of Maryland, or any other duly qualified officer who may be selected to act in his place at

Venable, Baetjer & Howard, LLP
1800 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Baltimore, MD 21201-2978

on **January 16, 2003, at 10:00 a.m. or as otherwise agreed by counsel**, to be continued from time to time until completed.



The deponent(s) are to bring with them all of the documents set forth on Schedule B.

Michael P. Smith *JAL*

PAUL D. BEKMAN
MICHAEL P. SMITH
SALSBURY, CLEMENTS, BEKMAN,
MARDER & ADKINS, L.L.C.
300 W. Pratt Street
Suite 450
Baltimore, Maryland 21201
(410) 539-6633

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of January 2003, copies of the foregoing Notice of Deposition, were faxed and mailed first class, postage prepaid

Michele R. Kendus, Esquire
Venable, Baetjer & Howard, LLP
1800 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Baltimore, MD 21201-2978

Attorneys for Defendant, Pacific USA, LTD and Pacific Cycle, LLC

Daniel Moore, Esquire
Moore & Jackson, LLC
305 Washington Avenue, Ste. 401
Towson, MD 21204

Attorneys for Defendant, Toys "R" US-Delaware, Inc.

Michael P. Smith *JAL*

MICHAEL P. SMITH

SCHEDULE A

1. The manufacturing and design of the Bicycle.
2. The testing or analysis of the suspension forks of any Pacific cycle.
3. The testing or analysis of the suspension forks of a Pacific Cycle USA Strike mountain bike
4. Any and all warnings or instructions sent from Pacific Cycle to its retailer of any Pacific cycle.
5. Any and all warnings or instructions directed toward the ultimate purchaser of any Pacific cycle.
6. All communications between the Defendant and Toys "R" Us - Delaware relating to the Bicycle.
7. The Owner's Manual for the Bicycle.
8. The industry standard for the design and manufacture of a bicycle suspension fork, and the Defendant's knowledge of and compliance with said industry standard as it applies to its bicycle products generally, and to the Bicycle.
9. Any case report to the Defendant involving an alleged defect, manufacturing of design, in the fork of any Pacific cycle.
10. All Documents produced by this Defendant in Discovery, including PC-0001 - 64.
11. The Defendants role or participation in the design, manufacture, and selling of the Bicycle.
12. Any contention that the Bicycle was not in the same or substantially the same condition as when it left your control, or that the Bicycle was not used in the manner intended, or that the fork was misused.
13. The Defendant's Answer to Interrogatories.
14. Any contention that the Plaintiff William Lockwood acted in such a manner as to cause or contribute to the occurrence alleged in the Complaint.
15. Any contention that a person not a party to this action acted in such a manner as to cause or contribute to the occurrence referenced in the Complaint.

SCHEDULE B

1. Any engineering drawings, plans, designs, specifications, or other materials used to develop and produce the Pacific Cycle USA "Strike" mountain bike complained of and the parts immediately connected with it.
2. Any engineering drawings, plans, designs, specifications, or other material used to develop and produce the fork as it existed on the Pacific Cycle USA "Strike" mountain bike at issue in this litigation.
3. All documents pertaining to the sale of the Pacific Cycle USA "Strike" mountain bike at issue in this litigation.
4. Any documents that accompanied the Pacific Cycle USA "Strike" mountain bike complained of at the time of the sale or were transmitted to the purchaser thereafter, including training videos.
5. Any document intended to remain with the Pacific Cycle USA "Strike" mountain bike complained of throughout its working life.
6. All documents pertaining to any incident or occurrence in which any component of a Pacific Cycle USA "Strike" mountain bike, including the component(s) at issue or any component substantially similar to the component(s) at issue, broke, fatigued or otherwise failed, requiring repair and/or resulting in personal injury.
7. All documents reflecting testing done to determine the safety and appropriateness of the fork crown and related components of the Pacific Cycle USA "Strike" mountain bike at issue in the subject litigation.
8. All documents reflecting communication from or to any government agency with reference to the subject occurrence.
9. All reports prepared in the ordinary course of business with reference to the occurrence complained of.
10. All documents of or relating to any communication between you and any person who is not a party to this action, and who designed, manufactured, assembled or sold Pacific Cycle USA "Strike" mountain bikes, or the fork crown and related components of a Pacific Cycle USA "Strike" mountain bike.
11. Any and all policies or agreements of liability or uninsured insurance covering or pertaining to the time of the happening complained of, including primary coverage and excess coverage, including all endorsements and declaration sheets.

12. All codes, standards, or other regulations upon which you have relied or intend to rely in connection with this case.
13. Any photographs, moving pictures, videotapes, or movies of any Plaintiff.
14. All calculations, diagrams, engineering drawings, computer printouts or other data which have been prepared in connection with this case.
15. Any written, recorded, signed or other statements from the Plaintiff.
16. All documents identified in your answers to interrogatories.

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MICHELE R. KENDUS, ESQUIRE

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FROM: MICHAEL P. SMITH, ESQUIRE

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COMMENTS:

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CLIENT NO. 9549

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